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September 22, 2023

Hon. Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl St., Courtroom 15A
New York, NY 10007
(212) 805-0238

Re: *Olohan v. Google LLC et ano.*; No. 22-cv-10163-AS

Dear Judge Subramanian,

We write jointly on behalf of all parties in this matter pursuant to Your Honor's August 22, 2023 Order, (ECF No. 32), providing an update on the status of discovery.

The parties have not yet completed fact discovery in this action. The parties have exchanged documents pursuant to the Southern District's Pilot Discovery Protocols for Counseled Employment Cases, and have exchanged multiple sets of document requests and interrogatories. The parties have met and conferred multiple times, and continue to work in good faith to resolve all remaining discovery disputes.

In light of Your Honor's Order on Plaintiff's motion to compel additional ESI searches for an extended time period, the parties' continued negotiation of other related discovery disputes, and Plaintiff's stated intention to propound additional discovery requests, the parties expect to be in a position to conclude document discovery no later than **November 30, 2023**. The parties will then commence fact witness depositions¹ and expect to conclude all fact discovery no later than **February 16, 2024**. Pursuant to the Court's request during the September 12, 2023 conference, the parties therefore propose the following modified discovery schedule:

- Deadline for parties to complete document production: November 30, 2023
- Deadline for parties to serve requests to admit: January 17, 2024
- Deadline for parties to complete all fact discovery: February 16, 2024
- Deadline for parties to complete all depositions: February 16, 2024
- Deadline to file motion for summary judgment: April 5, 2024
- Deadline to opposition papers for motions for summary judgment: May 3, 2024
- Deadline to file reply papers for motion for summary judgment: May 17, 2024
- Deadline for expert discovery: the later of 90 days from decision on motions for summary judgment or 90 days from the completion of fact discovery

¹ Additional time has been built into this schedule in light of the holidays, difficulty in serving subpoenas on third-parties, and because one key Google witness whose deposition has been noticed is currently out on a medical leave, and their exact return date is uncertain.

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We thank the Court for its continued attention to this matter.

Respectfully submitted,

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Dated: September 22, 2023

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